

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

OLIM ISLAMOV,	)	
	)	
Plaintiff,	)	4:09CV3229
	)	
v.	)	
	)	
SVETLANA SERGEYEVNA	)	MEMORANDUM AND ORDER
UNGAR,	)	
	)	
Defendant.	)	

The defendant has moved to reconsider the court's denial of her motion to quash the plaintiff's garnishment proceedings. Filing No. [30](#). At most, the defendant claims the plaintiff's bankruptcy complaint failed to state a claim for monetary damages. See e.g., [Fed R. Civ. P. 12\(b\)\(6\)](#). This argument is fundamentally different than claiming the bankruptcy court lacked jurisdiction to award monetary damages in favor of the plaintiff and against the defendant. See e.g., [Fed. R. Civ. P. 12\(b\)\(1\)](#).

The bankruptcy court had jurisdiction over both the subject matter and person to enter a monetary judgment against the defendant. Whether it did so erroneously because the plaintiff never stated a claim for such recovery is a matter for appellate review, not collateral attack.

Accordingly,

IT IS ORDERED that the defendant's motion to reconsider, (filing no. [30](#)), is denied.

November 25, 2009.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge